

# Order

Michigan Supreme Court  
Lansing, Michigan

March 23, 2012

Robert P. Young, Jr.,  
Chief Justice

143841

Michael F. Cavanagh  
Marilyn Kelly  
Stephen J. Markman  
Diane M. Hathaway  
Mary Beth Kelly  
Brian K. Zahra,  
Justices

CHERYL DEBANO-GRIFFIN,  
Plaintiff -Appellant,

v

SC: 143841  
COA: 282921  
Lake CC: 05-006469-CZ

LAKE COUNTY and LAKE COUNTY BOARD  
OF COMMISSIONERS,  
Defendants-Appellees.

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On order of the Court, the application for leave to appeal the August 25, 2011 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall include among the issues to be briefed: (1) whether the plaintiff established a causal connection between her protected activity and the adverse employment action under the Whistleblowers Protection Act (MCL 15.362) and, if so, (2) whether a whistleblower may challenge an adverse employment decision, which is claimed to be a matter of business judgment that was based on a fiscal or budgetary reason, as a mere pretext over the defendants' assertion that the separation of powers principle prevents the judiciary from examining the budgetary decisions of a legislative body. See *Dubey v Stroh Brewery Co*, 185 Mich App 561, 565-566 (1990).

ZAHRA, J., did not participate because he was on the Court of Appeals panel that issued the October 15, 2009 and December 16, 2010 per curiam opinions.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 23, 2012

*Corbin R. Davis*

Clerk